



European Medical Students' Association

Association Européenne des Étudiants en Médecine

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Access to Healthcare for Incarcerated People

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The European Medical Students' Association (EMSA) represents medical students across Europe. We envision a healthy and solidary Europe in which medical students actively promote health. EMSA empowers medical students to advocate health in all policies, excellence in medical research, interprofessional healthcare education and the protection of human rights across Europe.

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Problem statement

Incarcerated individuals are people who have committed a crime or are considered suspicious and have been convicted under a certain sentence as a result. Conviction, on the other hand, is the process of punishment by restricting rights in certain areas such as prison. Health is defined as "a state of complete physical, mental and social well-being" underlining that no economic reason can justify an action that may harm human health (UN General Assembly, 1948). The UN Committee on Economic Social and Cultural Rights has highlighted the importance of health as a fundamental human right for the exercise of other human rights (UN,2015). Primary healthcare access is a vital human right, yet those who are incarcerated frequently get little or inadequate care. These rights of detainees should also be protected and their access to health services should be ensured.

Providing healthcare in prisons is a matter of social justice as prisoners are often from impoverished backgrounds with limited access to healthcare. By providing healthcare in prisons, governments can reduce health inequalities and aid in the protection of prisoners' human rights. However, providing healthcare in prisons is challenging due to security concerns and the nature of the prison system (Enggist et al., 2014).

Prison populations in Europe have higher rates of poor physical, mental, and social health compared to the general population. Common health issues include mental illness, addiction, and communicable diseases. To address these issues, prison authorities should regularly assess prisoners' health needs and provide tailored health promotion and prevention programs. However, the prison environment presents unique challenges to health promotion, such as lack of autonomy, bullying, boredom, and overcrowding, which can negatively impact prisoners' mental health and self-esteem (Enggist et al., 2014).

Poor mental health care and lack of self-care increase the risk of developing non-communicable diseases, including obesity, inactivity, and higher tobacco consumption. Furthermore, the crowded and unhygienic conditions in prisons make inmates more susceptible to infectious illnesses, making preventive healthcare crucial, including immunizations and screenings.

LGBTQIA+ prisoners are disproportionately affected by restrictive attitudes towards sexual orientations and behaviours, leading to an increased risk of discrimination and abuse, as well as rape and infection with sexually transmitted diseases. Incarcerated women and nonbinary individuals often face hygiene and period poverty issues, while pregnant individuals have difficulty accessing prenatal care and face isolation during childbirth. These issues have a negative impact on the mental health of

imprisoned individuals. (Abbott, et al., 2020; Gardiner, et al., 2016; Patel and Chatterji, 2015; UNODC, 2009).

The World Health Organization has highlighted the inadequacy of health services for prisoners in prisons, the grievances experienced in the prisons with more than their capacity, and the mental difficulties that affect them (WHO, 2007). Imprisoned patients generally reach health services late and the conditions they live in affect the prognosis of the disease badly, leading to a high need of healthcare. To protect the right of prisoners living in prisons to access the minimum living conditions necessary for a healthy life, it is important to provide health services in prisons in accordance with the requirements of the age and to facilitate the access of imprisoned patients to health services.

In terms of medical ethics and health policies, the difficulties experienced in the access of detainees to primary health care services is an important issue that should be addressed in the vocational training of medical school students. Respecting the human rights of detainees, facilitating their access to health services and observing the principles of medical ethics make medical school students aware of the ethical challenges they may face while working in health services in the future.

Our view. Aim

We, as EMSA, recognize the healthcare challenges that incarcerated individuals face, such as the high prevalence of chronic illnesses, infections, mental health conditions, and addiction. Prisoners should have an equal right to healthcare as any other human being, however, due to the fact that they are confined, they face particular challenges. Incarcerated people should not be mistreated in prisons, their healthcare needs and problems shouldn't be overlooked and their mental health shouldn't be undermined. The legislation in each country is often critical in ensuring access to healthcare and upholding human rights in prisons. The lack of necessary resources in many institutions continues to be a major problem.

We have made efforts to raise awareness about this issue within medical students and advocate for the healthcare needs of incarcerated people by creating a small working group. We aim to dispel misconceptions and biases regarding the subject and provide medical students the knowledge they need to comprehend how the loss of autonomy affects incarcerated people's quality of life. We also aim to advocate for more accessibility for incarcerated individuals to all forms of healthcare.

Recommendations

EMSA calls on the European Commission (DG Santé/European Health Union) and WHO Europe to:

- Ensure greater cooperation with prison services and ensure that tobacco and narcotic control measures are better integrated into the priorities of the guardianship authorities to assure the health and well-being of those living in prison facilities.
- Promote and assist international prison services and governments in information and awareness-raising events, campaigns.

EMSA calls on the European Medical Association, the European Junior Doctors Association, the Standing Committee of European Doctors, and the European Union of Medical Specialists to:

- Ensure that the employment of physicians in prisons is carried out in conditions suitable for practising medicine, respecting personal rights, as it should be in every patient, and working towards the protection of individual privacy rights.
- Ensure that physicians understand that they have the right and responsibility to make requests from the relevant people to ensure healthy and safe examination conditions.
- Encourage physicians to request all the tests required for the diagnostic approach and to be close to external influences in this regard.
- Encourage physicians to share information about the disease, treatment, and prognosis with the patient.
- Take a stand as required by medical opinion, without being impacted by external influence in cases where hospitalisation is necessary.
- Apply to the competent authorities in case of violation of physician rights and patient rights.
- Advocate for improved healthcare in prisons; better funding for facilities and specialised training for physicians who work in prisons.

EMSA calls on the governments to:

- Ensure all individuals are getting screened for immediate health risks (including signs of poor mental health) as soon as they arrive in prison.
- Ensure all individuals should undergo a major health assessment within the first week of custody.
- Establish addiction support programs in all prisons.
- Ensure health care services for newborns to support their development.
- Implement validated screening tools that capture information on non-communicable diseases.
- Establish and report reliable health screening programs in prisons, at the national level.
- Create social spaces and recreational programs tailored to the specific needs of the prison.

- Take proactive measures to ensure the safety of incarcerated individuals from the transgender community by respecting their gender identity and allocating them to appropriate facilities.
- Hormone therapy should be recognized as an essential part of healthcare for transgender individuals and should be provided as a basic right during their incarceration.

EMSA calls on NGOs and other associations to:

- Raise awareness about the access to healthcare in prisons.
- Provide socially stimulating and healing activities for prisoners for the sake of their mental health and wellbeing.
- Advocate incarcerated LGBTQIA+ individuals' access to their required healthcare needs.
- Emphasise the importance of mental and physical health and educate prisoners on these matters.

EMSA calls on medical faculties to:

- Increase awareness about the statistically disproportionate health risks that incarcerated individuals face due to various discriminatory and subjective demeanours and emphasise the duty of healthcare professionals to ensure the sanctity of the Hippocratic Oath, by recognizing unbiased access to healthcare.
- Implement interdisciplinary lessons in the medical curriculum to highlight the ethical considerations a physician must keep in mind while disseminating access to care ensuring the disparities are close to zero.
- Ensure medical students are well-versed in the many facets of patients before they graduate, and teach them that regardless of a patient's identity, they should always treat them equally, with respect, and with compassion.
- Extend collaboration opportunities with concerned authorities and institutions to help students get acclimated with the niche for a better understanding of the situation.
- Organise dedicated soft skills training and ethical lessons aiming to help students gain a deeper insight into the healthcare for incarcerated people in their respective countries.

EMSA calls on Student Organisations to:

- Organise events in close collaboration with immediate practitioners that deal with incarcerated health care and closely observe the prevalent system, contributing or criticising as per the requirements.
- To work upon the legislative loopholes that could be misused under various circumstances, ensuring the legislation stays up to date about the growth of medical facilities and healthcare.

- In the media sector to bring forth the unfortunate statistical disparity out in the open to enable the discussion of the issues with appropriate gravity.

EMSA calls on FMOs and NCs to:

- Actively engage in projects that aim to raise awareness for the access to healthcare of incarcerated people.
- Participate in local processes that can close the gap on social injustices and prejudice that inmates face in healthcare.
- Plan campaigns, workshops, training sessions, and webinars to inform medical students about the unfair and neglectful treatment of inmates.
- Work with other FMOs, NCs, or/and EMSA to instil ethical thoughts regarding the aim at hand, with regards to the nation's healthcare policies.
- Regularly update and incorporate the law into workshops aimed at educating all of the members and, if possible, the faculty which in turn amplifies the dissemination.

Abbreviations

EU: European Union

EMSA: European Medical Students' Association

FMO: Faculty Member Organisation

LGBTQIA+: Lesbian, Gay, Bisexual, Transgender, Queer Or Questioning, Intersex, Asexual, And More

NC: National Coordinator

NGOs: Non-governmental Organisations

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